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Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 10-72312 RLE

**WARREN LELAND OBERHOLSER and
VICTORIA MARIE OBERHOLSER,**

Chapter 13

Debtors.

**DECLARATION OF DEBTOR IN
SUPPORT OF DEBTORS' MOTION TO
VALUE LIEN**

I, Warren Leland Oberholser, declare:

1. I am one of the debtors in the above-captioned case.

2. The facts contained herein are true and correct and if called upon as a witness I can testify competently as to them.

3. At the time I filed my chapter 13 case, on October 26, 2010, I was the owner of the real property located at 5444 San Antonio Street, Pleasanton, CA 94566 (the "property").

4. I am informed and believe that on the date I filed my case, my property was worth approximately \$660,000.00.

5. I am informed and believe that near May 2013, my property was worth approximately \$725,000.00.

1 6. The property is encumbered by a First Deed of Trust which was
2 recorded in Alameda County on or about October 26, 2006, as document
3 2006400730 in favor of World Savings Bank, FSB, as evidenced by the
4 face page of the recorded deed of trust, a copy of which is attached
5 as Exhibit A and made a part hereof.

6 7. I am informed and believed that near the time of filing, I
7 owed approximately \$814,228.20 to Wells Fargo Bank, N.A. as successor
8 to World Savings Bank, FSB, ("Wells Fargo") the first position
9 creditor, as evidenced by the first page of its proof of claim filed
10 on December 9, 2010, a copy of which is attached as Exhibit B and made
11 a part hereof.

12 8. I owed approximately \$779,052.24 near May 2013 to Wells Fargo,
13 the first position creditor, as evidenced by the May 2013 mortgage
14 statement issued by Wells Fargo, a copy of which is attached as
15 Exhibit C and made a part hereof.

16 9. According to document 2007202397 which was recorded in Alameda
17 County on or about May 29, 2007, Mortgage Electronic Registration
18 Systems, Inc. ("MERS") on behalf of the lender E-Loan, Inc. is the
19 beneficiary of a Second Deed of Trust against the property, as
20 evidenced by the face page of the recorded deed of trust, a copy of
21 which is attached as Exhibit D and made a part hereof.

22 10. Near the time of filing, I owed approximately \$70,152.85 to
23 BAC Home Loans Servicing, as servicer for E-Loan, Inc., the second
24 position creditor, as evidenced by the first page of the proof of
25 claim filed by E-Loan, Inc., on April 25, 2011, a copy of which is
26 attached as Exhibit E and made a part hereof. I have not made a

1 mortgage payment for my second mortgage since the filing of the above-
2 captioned case.

3 11. The Second Deed of Trust was assigned to Lake Icon Portfolio
4 Management I, LLC as successor in interest to Banco Popular North
5 America as successor in interest to E-Loan, Inc. ("Lake Icon") as
6 evidenced by the unrecorded Corporation Assignment of Deed of Trust
7 provided by Lake Icon, a copy of which is attached as Exhibit F and
8 made a part hereof.

9 I declare under penalty of perjury under the laws of the State of
10 California that the foregoing is true and correct.

11 Dated: June 7, 2013 /s/ Warren Leland Oberholser
12 Warren Leland Oberholser
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